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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,113	07/09/2003	Stephan Schmidt	P2002,0564	2190
24131	7590	12/06/2006	EXAMINER	
LERNER GREENBERG STEMER LLP			NGO, HUNG V	
P O BOX 2480			ART UNIT	
HOLLYWOOD, FL 33022-2480			PAPER NUMBER	

2831
DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/616,113

Applicant(s)

SCHMIDT ET AL.

Examiner

Hung V. Ngo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) <input type="checkbox"/>
Paper No(s)/Mail Date <u>10-27-06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Stoyko (US 5,532,427)

Re claim 1, Stoyko discloses in a housing, a configuration for protecting against electrostatic and electromagnetic disturbances of electronic components, comprising:

at least first and second housing parts (1, 9) detachably connected to one another at a transition, said first and second housing parts each having end surfaces fitting with one another to spread electrical contact on a largest possible surface are therebetween, each of said end surfaces of said first and second housing parts having at least two sections formed by a first and a second bend, both of said sections and the housing part forming an u-shaped profile, for providing additional protection against electrostatic and electromagnetic disturbances at the transition of said housing parts.

Re claim 2, wherein said first and second housing parts define an air gap (16) therebetween, said air gap being sufficiently small to allow electrical contact

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to occur between said first and second housing parts over a substantial majority of said surface area (Fig 6).

Re Claim 3, wherein said end surfaces are at a right angle to said first and second housing parts (Fig 5).

Re Claim 4, wherein said at least one bend is a right angle (Fig 5).

Re Claim 5, wherein said end surfaces are form-locking and have profiles with a number of sides at which electrically conductive contact occurs (Fig 5)

Re Claim 7, wherein at least one of said first and second housing parts is of sheet metal (Col. 2, lines 34-39).

Re Claim 19, in a housing, a configuration for protecting against electrostatic and electromagnetic disturbances of electronic components, comprising:

at least first and second housing parts (1, 9) detachably connected to one another at a transition, said first and second housing parts each having end surfaces fitting with one another to spread electrical contact on substantially all of a surface area therebetween said end surfaces, each of said end surfaces of said first and second housing parts having at least two sections formed by a first and a second bend, both of said two sections and the housing part forming an u-shaped profile, for providing additional protection against electrostatic and electromagnetic disturbances at the transition of said housing parts, said end surfaces being form-locking and having profiles with at least two sides at which electrically conductive contact occurs (Fig 4, 5).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stoyko in view of Kaiserwerth et al (US 3,885,084).

The teaching of Mosquera et al as discussed above does not disclose the gap is filled with a formable conductive seal.

Kaiserswerth et al teach the use of a conductive seal (3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the conductive seal with the gap of Stoyko for the purpose of enhancing electromagnetic shielding.

Claim 8-18, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoyko in view of McMiller et al (US 6,194,653)

The teaching as discussed above does not disclose

wherein one of said end surfaces of at least one of said first and second housing parts has contact elements in conductive contact with another of said end surfaces of a respective other one of said first and second housing parts (Re Claims 8, 20).

wherein said contact elements are disposed along said end surface at regular intervals (re claim 9).

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wherein said one of said first and second housing parts having said contact elements is of sheet metal (re claim 10).

wherein at least one of said contact elements is a link plate formed from said sheet metal (re claim 11).

wherein said contact elements each are link plates formed from said sheet metal (re claim 12).

wherein said at least one contact element has a free end with a contact-forming embossing in a direction of said other one of said first and second housing parts not having said contact elements (re claim 13).

wherein at least one of said contact elements is resilient (re claim 14)

wherein: said one of said first and second housing parts having said contact elements has a given thickness; and said contact elements each have said given thickness (re claims 15, 21).

wherein said contact elements each have free ends with contact-forming embossings; said contact elements lie in a given plane with said one of said first and second housing parts having said contact elements; and said embossings protrude beyond said given plane in a direction of said other one of said first and second housing parts not having said contact elements (re claims 16, 22).

wherein said contact elements are disposed beyond said bend and follow a form of said bend (re claim 17).

wherein said one of said first and second housing parts having said contact elements has an extent from a given portion through said at least one

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bend to an end; and said contact elements are disposed between said at least one bend and said end and follow a form of said at least one bend (re claim 18).

Re claims 8-18, 20-22, McMiller et al teach the use of a resilient link plate sheet metal contact elements (208)(Fig 3) are disposed along said end surface at regular intervals having a given thickness and an embossing (210) protruding beyond said given plane in a direction of said other one of said first and second housing parts

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the contacting elements with the housing part of Stoyko for the purpose of enhancing electromagnetic shielding.

Response to Arguments

Applicant's arguments with respect to claims 1, 19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory

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action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V. Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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HVN

12-03-06

Hung V Ngo

HUNG V. NGO
PRIMARY EXAMINER